

The Applicant respectfully selects with traverse the invention of Group I, as set forth in claims 47 to 68 and 70 to 72 for further prosecution.

It is believed that the present invention is directed to a unitary inventive concept, namely, a process and agent for instabilizing viral quasi-species distributions avoiding resistance phenomena. It is believed that any search for the group embodied in claims 47 to 68 and 70 to 72 would necessarily include a search for the group embodied in claim 69. Thus, a simultaneous search for all of the groups is believed not to constitute an unreasonable search for the Patent Examiner. In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the groups. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete range of subject matter claimed in several different patents that could otherwise be found in one issued patent only.


Applicant reserves the right to file a divisional patent application for the non-elected invention.

It is noted that the Patent Office Draftsman has objected to some of the drawings. Drawing corrections will be filed after allowable subject matter has been indicated.

For all these reasons, it is respectfully requested that the restriction requirement under 35 U.S.C. 121 be withdrawn and that an action on the merits of all the claims be rendered.

Respectfully submitted,

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